

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

Sprint Communications L.P d/b/a Sprint	:	
Communications Company L.P.	:	
	:	09-0140
Verified Petition for Proprietary	:	
Treatment of Petitioner's 2008 Annual	:	
Report.	:	

ORDER

By the Commission:

On March 11, 2009, Sprint Communications L.P. d/b/a Sprint Communications Company L.P. ("Petitioner") filed a verified petition requesting that the Illinois Commerce Commission ("Commission") enter an order protecting its 2008 Annual Report from disclosure for a period of not less than five years.

Petitioner is certified by the Commission to provide competitive telecommunications services in Illinois. The petition indicates that Petitioner's 2008 Annual Report contains commercial and financial information that is proprietary and confidential, and the disclosure of which to competitors could be detrimental to Petitioners. The petition further indicates that because the telecommunications industry is highly competitive, it is imperative that public disclosure of confidential information contained in the Petitioner's 2008 Annual Report be avoided for a period of at least five years following issuance of an Order by the Commission, because of the competitive harm such disclosure would likely cause Petitioner. Since all facts necessary for the Commission to grant the requested relief are contained in the petition, no hearing is necessary and it is waived.

The Commission having considered the entire record herein and being fully advised in the premises, is of the opinion and finds that:

- (1) Sprint Communications L.P. d/b/a Sprint Communications Company L.P. is a telecommunications carrier within the meaning of Section 13-202 of the Public Utilities Act ("Act") which provides competitive telecommunications service as defined in Section 13-209 of the Act;
- (2) the Commission has jurisdiction over Petitioner and the subject matter herein;

- (3) the recitals of fact set forth in the prefatory portion of this Order are supported by the petition and are hereby adopted as findings of fact;
- (4) Section 5-109 of the Act states, in relevant part:

All reports made to the Commission by any public utility and the contents thereof shall be open to public inspections, unless otherwise ordered by the Commission;
- (5) Section 7(g) of the Illinois Freedom of Information Act (5 ILCS 140/7) exempts from disclosure:

Trade secrets and commercial or financial information obtained from a person or business where such trade secrets or information are proprietary, privileged or confidential, or where disclosure of such trade secrets or information may cause competitive harm;
- (6) the verified petition states that Petitioner's 2008 Annual Report falls within the exemption stated in Finding (5);
- (7) Petitioner's 2008 Annual Report should be exempt from public disclosure under Section 7(g) of the Illinois Freedom of Information act and Section 5-109 of the Public Utilities Act for a period of five (5) years from the date of this Order;
- (8) Petitioner should submit with its 2008 Annual Report a cover letter indicating that proprietary treatment was granted in this Docket and identifying the date on which this Order was entered.

IT IS THEREFORE ORDERED by the Illinois Commerce Commission that the 2008 Annual Report for Sprint Communications L.P. d/b/a Sprint Communications Company L.P. and be afforded proprietary treatment and is exempt from public disclosure and will be accessible only by the Commission and the Commission Staff for a period of five (5) years from the date of this Order.

IT IS FURTHER ORDERED that a cover letter shall be submitted with the 2008 Annual Report filed by the Petitioner indicating that proprietary treatment was granted in this Docket and identifying the date on which this Order was entered.

IT IS FURTHER ORDERED that the Illinois Commerce Commission retains jurisdiction over Sprint Communications L.P. d/b/a Sprint Communications Company L.P. and the subject matter hereof for the purpose of issuing such further order or orders as it may deem necessary.

IT IS FURTHER ORDERED that subject to the provisions of Section 10-113 of the Public Utilities Act and 83 Ill. Adm. Code 200.880, this Order is final; it is not subject to the Administrative Review Law.

By Order of the Commission this 3rd day of June, 2009.

(SIGNED) CHARLES E. BOX

CHAIRMAN